

**REMARKS**

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 25-33 are in the present application. It is submitted that the claims, as originally presented, were patentably distinct over the prior art cited by the Examiner and were in full compliance with the requirements of 35 U.S.C. § 112. Changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Attached hereto as an Appendix entitled "Version with Markings Showing Changes Made," is a marked-up version of the changes made to the claims by this Amendment.

Claims 25-33 were rejected under 35 U.S.C. § 102(b) as being anticipated by Boetje et al. (U.S. Patent 6,038,368). However, the present invention has "a user controlled switch for use in generating the index information." (Claim 28; Claims 25 and 31 contain similar limitations) Whereas, Boetje discloses automatic track numbers (ATNs) as shown in Figure 1. (Column 4, Lines 18-24) Thus, Boetje does not disclose having the user generate the index information (mark-in points) as claimed in the present invention. Further, the present invention "record[s] the additional index information in sub-code sections of recorded tracks throughout the tape medium." (Claims 25, 28; Claim 31 contains similar limitations) As shown in Figures 20-23,

each track throughout the tape contains sub-code sections. By contrast, Boetje shows in Figure 1 recording the database information at the end of the tape. In addition, the present invention's additional index information corresponds to attributes such as a take number, scene number, or a good/no good indicator. (Claims 27, 30, and 33) Whereas, Boetje discusses storing statistical data and simply does not disclose equivalents to the present invention's attributes. Therefore, for at least these reasons, Boetje fails to anticipate the present invention and claims 25-33 should now be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By:

A handwritten signature in black ink, appearing to read "Darren M. Simon". The signature is written in a cursive style with a large, stylized "S" at the end.

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**Appendix**  
**Version with Markings Showing Changes Made**

**IN THE CLAIMS**

Please amend claims 25, 28, and 31 as follows:

—25. (amended) A method of recording and indexing video data on a digital cassette having a tape medium and an attached memory, comprising the steps of:

generating an index information corresponding to a point on the tape medium where a designated portion of the video data is recorded using a user controlled switch; the index information for use as an index when editing the video data;

generating an additional index information corresponding to said index information for specifying an attribute of the designated portion of the video data;

selecting a video frame from the designated portion of the video data on the basis of the index information and the additional index information;

generating an index picture information from the selected video frame for displaying the selected video frame corresponding to said index information when editing the video data;

recording the index information in the attached memory of said digital cassette;

recording the additional index information video data in [at least one of the attached memory or a] sub-code sections of recorded tracks throughout the tape medium; and

recording the index picture information on the tape medium.—

—28. (amended) A recording apparatus for recording and indexing video data on a digital cassette having a tape medium and an attached memory, comprising:

an operational unit for generating an index information corresponding to a point on the tape medium where a designated portion of the video data is recorded; the index information for use as an index when editing the video data; the operational unit having a user controlled switch for use in generating the index information;

said operational unit further generating an additional index information corresponding to said index information for specifying an attribute of the designated portion of the video data;

an index generating unit for selecting a video frame from the designated portion of the video data on the basis of the index information and the additional index information, and for generating an index picture information from the selected video frame for displaying the selected video frame corresponding to said index information when editing the video data; and

recording means for recording the index information in the attached memory of said digital cassette; recording the additional index information in [at least one of the attached memory or a] sub-code sections of recorded tracks throughout the tape medium; and recording the index picture information on the tape medium.—

—31. (amended) A digital cassette for recording and indexing video data, comprising:

an attached memory for storing index information corresponding to a point on a tape medium where a designated portion of the video data is recorded; the index information for use as an index when editing the video data; the index information being generated with a user controlled switch; and

said tape medium storing an additional index information in [a] sub-code sections of recorded tracks throughout the tape medium; the additional index information specifying an attribute of the designated portion of the video data corresponding to said index information;

said tape medium further storing index picture information corresponding to a video frame from the designated portion of the video data; the index picture information for displaying the video frame corresponding to said index information when editing the video data.—